

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 2583

IN THE MATTER OF:

Served July 25, 1984

Application of ALEXANDRIA TRANSIT )  
COMPANY for a Certificate of )  
Public Convenience and Necessity )  
to Perform Charter Operations )

Case No. AP-84-27

On July 17 and 18, 1984, evidentiary hearings on the application of Alexandria Transit Company were held. After the taking of testimony, applicant filed a motion to dismiss the application on the theory that the proposed operations are exempt from Commission regulation by virtue of Title II, Article XII, Section 1(a)(2) of the Compact.

The Administrative Law Judge directed all parties, should they so desire, to take a position on the motion in their briefs and set a due date of August 20, 1984 for briefs.

Upon further reflection by counsel for all parties and the Administrative Law Judge, it appears that the administrative process would be best served by having the Commission dispose of the motion prior to considering briefs on the case-in-chief. In the event that the Commission grants applicant's motion, briefs and consideration of the case-in-chief would be unnecessary.

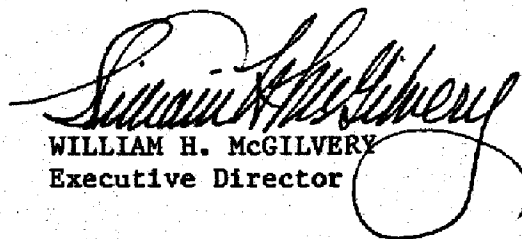
Accordingly, the Administrative Law Judge directs that the parties file their positions on the motion and will defer to the Commission the setting of a briefing schedule, should one prove necessary, when it rules on the motion. Also, so that the authority and intent of the City of Alexandria, Va., in establishing Alexandria Transit Company may be understood, applicant is directed to provide copies of certain documents.

THEREFORE, IT IS ORDERED:

1. That on or before August 20, 1984, Alexandria Transit Company file any argument and authorities in support of its Motion to Dismiss and also file copies of the Charter of the City of Alexandria and any ordinances, resolutions or minutes of the Council of the City of Alexandria regarding the establishment of Alexandria Transit Company and the intent of the City Council in establishing Alexandria Transit Company as a stock corporation.

2. That any other party desiring to reply to the Motion to Dismiss should file such reply on or before August 31, 1984.

BY DIRECTION OF THE COMMISSION: FRANCIS A. WELCH, Administrative Law Judge

  
WILLIAM H. MCGILVERY  
Executive Director